

MEASURING THE IMPACT OF LEGAL SERVICES ON **HUMAN TRAFFICKING SURVIVORS**

WHAT IS **HUMAN TRAFFICKING**

Human trafficking is a severe violation of human rights in which an individual is compelled to provide labor or commercial sex through force, fraud, or coercion. Trafficking survivors sometimes have a personal connection to the trafficker prior to the trafficking situation, contributing to their initial trust of the trafficker. Traffickers can be employers, family members, romantic partners, diplomats, business people, organized crime associates, and others. There are many legal definitions of human trafficking. Both the U.S. Trafficking Victims Protection Act and the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, have their own definitions of trafficking; and each of the 50 states in the United States has its own human trafficking laws with varied definitions.

IMMIGRANT WOMEN & CHILDREN PROJECT

The City Bar Justice Center's Immigrant Women & Children Project (IWC) was founded in 1996 and assists low-income survivors of violent crimes, including intimate-partner violence, trafficking, sexual assault, child abuse, and hate crimes. IWC represents adults and children in immigration matters with the goal of promoting better access to safety, stability, and self-sufficiency. IWC staff and trained volunteer attorneys assist applicants with relief under the federal Violence Against Women Act (VAWA), including U & T non-immigrant status (U or T visas), battered spouse waivers, and self-petitions, as well as other immigration relief. These services are delivered through a well-established pro bono and staff model that empowers the survivors to stabilize themselves and their families, better understand the criminal justice and immigration processes, and reunite with children and spouses who are overseas. IWC clients are global: over the last year people from more than 50 different countries were served.

A SURVEY OF 50 IMMIGRANT WOMEN & CHILDREN PROJECT CLIENTS

In 2015, IWC staff took time to reflect on how our legal services were effectuating change in our clients' lives. For this survey, we interviewed a sample of 50 current and former IWC clients, all of whom are survivors of trafficking. Our goal was to measure the effectiveness of our legal services, to see how it affected change more broadly in these clients' lives, and to learn how to better serve new clients. We also wanted to learn what goals clients had for themselves and what steps they were taking to achieve them.

All of these clients initially came to IWC seeking assistance with their immigration status. They were referred by law enforcement agencies, domestic violence organizations, community-based groups, or found us through Internet searches. Some were homeless, living in shelters; others lived in unstable housing situations. They each underwent a thorough screening process conducted by IWC staff to help identify their needs, which could include physical and mental health treatment, housing, employment training, public benefits, and case management, as well as legal assistance. IWC staff and pro bono attorneys then worked with these clients to apply for immigration relief, to access law enforcement and educational opportunities, and to develop courtroom advocacy and economic empowerment strategies. In addition to providing full legal representation, IWC referred some of these clients to other organizations so that they had the option of accessing other needed services through comprehensive case management.

IWC staff also screened these clients for the potential to obtain financial compensation and helped those with possible claims pursue restitution or civil litigation against their traffickers. Restitution claims can arise where there is a federal criminal prosecution against the trafficker. In those cases, the judge has the authority to order compensation to victims as part of sentencing. Alter-

natively, a trafficking victim can sue his or her traffickers in federal court for civil damages. In those situations, IWC matches clients with pro bono attorneys who bring civil actions against the clients' traffickers. In total, nine of our clients have been awarded more than \$757,000 in restitution or through civil judgments.

While most of these clients expressed satisfaction and gratitude regarding the services we had provided, some told us that certain aspects of their cases had been very challenging. Several expressed a wish that they could have traveled while their cases were pending to visit

that 21 of those surveyed were employed full-time while others were working part-time, were in school, or were full-time parents of young children. All of those who were employed are paying taxes and many of these clients have taken advantage of educational opportunities including taking classes to study English, graduating from high school, or taking the high school equivalency exam; eight have gone on to college or a vocational training program.

This survey affirmed the notion that receiving legal services is key to helping survivors of trafficking pursue their dreams of education, gainful employment, and family reunification where possible. It also leaves them with a stronger feeling of safety and security for both themselves and their families. Our broader goal is to have a long-term impact by preventing the trafficking of a second generation, i.e., the children of trafficking victims, by making sure they are going to school, have access to healthcare, and have information about pursuing job training and higher education. Through this survey, we were able to measure the impact that legal services and other support provide to trafficking survivors to help them move forward by gaining stability, opportunity, and freedom in their lives.

50 TRAFFICKING SURVIVORS

COUNTRY OF ORIGIN	AMOUNT
MEXICO	17
INDIA	7
PHILIPPINES	4
JAMAICA	4
RUSSIA	2
NIGERIA	2
EL SALVADOR	2
CHINA	2
BANGLADESH	2
UGANDA	1
HONDURAS	1
GUYANA	1
GUINEA	1
ECUADOR	1
COLOMBIA	1
CAMEROON	1
BENIN	1

with family members abroad. Others said they didn't understand why the U.S. Citizenship & Immigration Service had taken such a long time to adjudicate their cases or their family members' cases. The process often takes years and this had made them feel powerless and frustrated.

The greatest benefits reported by these clients included the knowledge that they had legal status to remain in the U.S. without fear of deportation. This also gave them access to employment authorization and the ability to apply for a Social Security number allowing them to apply for jobs "on the books" where exploitation was less likely. We found

"I feel great now that I have a green card and pending citizenship. Before, employers threaten you when they know you do not have status. They try to force you into unsafe work conditions, low wages that are unfair, and they threaten to deport you because they know you are all alone. Now I can stand up for myself."

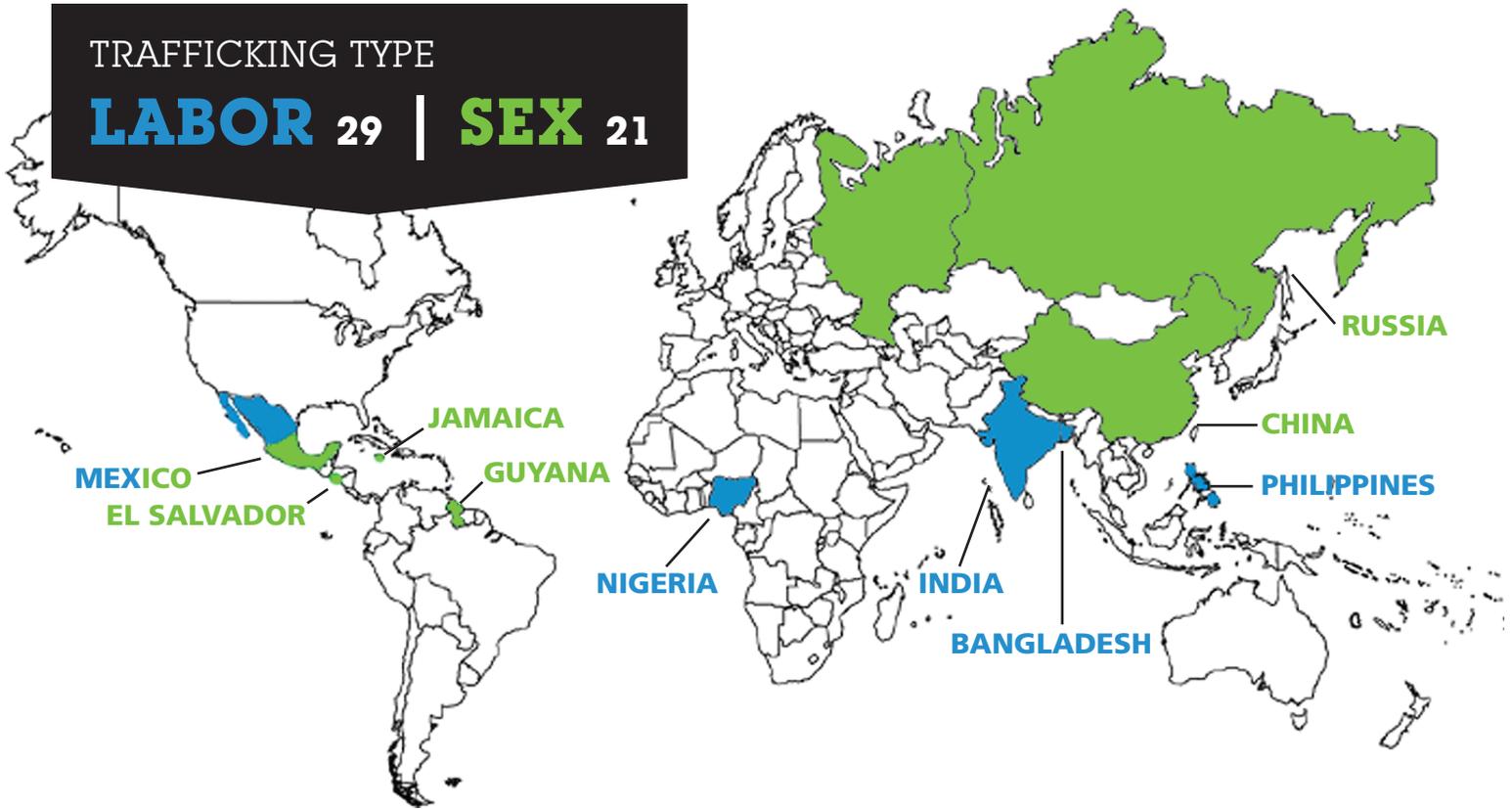
Ms. CW,
a survivor of labor trafficking.

"My dream is to open a restaurant. I am starting a culinary program this year."

Ms. FR,
a survivor of sex trafficking.

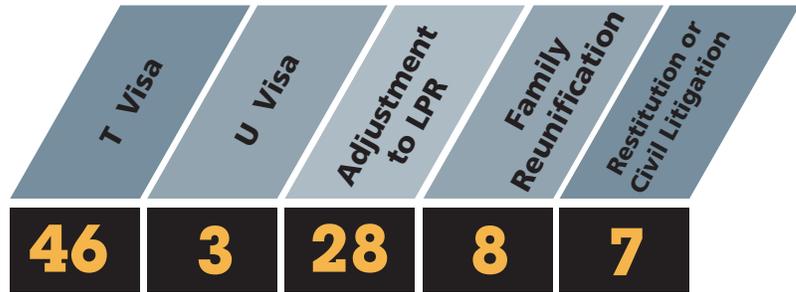
TRAFFICKING TYPE

LABOR 29 | **SEX** 21



LEGAL SERVICES PROVIDED

(INDIVIDUALS MAY HAVE RECEIVED MORE THAN ONE LEGAL SERVICE)



T AND/OR U STATUS PENDING 4

PERMANENT RESIDENT 24

U OR T NONIMMIGRANT STATUS 17

U.S. CITIZEN 5

CURRENT IMMIGRATION STATUS

EDUCATION PURSUED AFTER SERVICES



ENGLISH CLASSES

8



GED

7



HIGHER EDUCATION

8

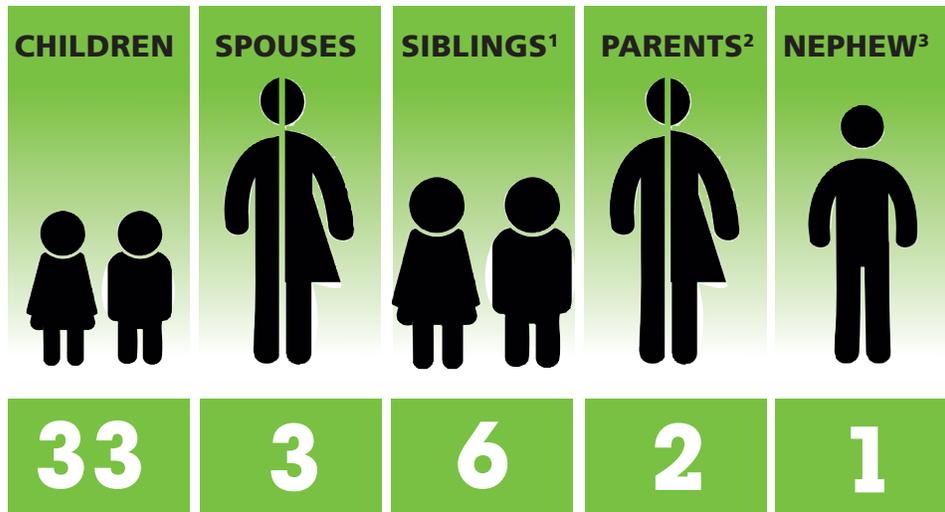
\$757,000

RECOVERED FOR **CLIENTS** THROUGH CIVIL LITIGATION OR RESTITUTION FROM CRIMINAL COURT PROCEEDINGS

"Having status changed my path radically. I am very, very happy, not give up, suffering struggling, working. I think about how I got to this point. I will not let down those people who helped me. I want to tell people I see struggling like me where I went for help and send them. I am studying now to be an RN and I am almost finished. My dream is to become a pediatrician."

Ms. MT
a survivor of labor trafficking.

17 CLIENTS WERE REUNITED WITH **45 FAMILY MEMBERS** WHO WERE ABROAD. THESE 17 CLIENTS WERE REUNITED WITH



1 - for minor trafficking victims; 2 - for minor trafficking victims; 3 - child of sibling of minor trafficking victim

CLIENT STORIES (ALL NAMES HAVE BEEN CHANGED)

Maria met Jose in 1993, when she was 20 years old. After they began dating, Jose became abusive and soon forced her into prostitution. When their child was born, Jose allowed her to take some time off, but after a few months, he placed the child with his family and told Maria that they were going to the U.S. so that she could make more money. Once in the U.S., Jose continued to demand that Maria work in prostitution and took all of her earnings, using their child as coercive leverage. After a few years, Maria convinced Jose to let their child live with her parents, and then, in 2010, while Jose was back in Mexico, Maria was finally able to escape. She then instructed her parents not to let Jose take the child or to let him into their home.

In 2011, Maria came to the CBJC on the advice of a friend. IWC prepared her application for T nonimmigrant status and included her child as a derivative. The case was approved in 2013 but there were challenges in getting the child to the U.S. The child had a visa, but was unable to obtain a passport without the permission of both parents. Maria had not been in touch with Jose in several years and wanted to keep it that way. IWC lawyers put her in touch with a volunteer lawyer affiliated with the Mexican organization IMUMI. That lawyer filed a case in Family Court in Mexico that terminated the father's rights and allowed the child to apply for a passport to reunite with Maria.

MARIA

A Ugandan diplomat promised to treat 18-year-old Sarah as part of his own family and send her to school if she came to the U.S. to help his wife care for their two children. Sarah had grown up in an impoverished, rural Ugandan village, lacking sufficient food, shelter, and education, so she jumped at the chance to leave. Upon arriving in the U.S. in 2010, Sarah's passport was taken from her. She worked tirelessly each day cleaning, cooking, and caring for the couple's two children in New Jersey, but was never allowed to go to school. On several occasions the diplomat's wife physically abused Sarah, once burning her with an iron. Sarah lived in a climate of fear in which she was regularly instructed not to talk to anyone, denied medical care, insulted, and restricted from using electricity in the home. Over the 1.5 years that Sarah worked for this family, Sarah received approximately \$1500, virtually all of which the diplomat sent to Sarah's parents in Uganda rather than giving to Sarah herself. Finally, in February 2012, during an incident where the diplomat's wife was beating her, Sarah escaped by running out of the home and begging for help from a stranger in the street. That good Samaritan referred Sarah to an organization that put her in touch with the CBJC, where IWC helped Sarah apply for T nonimmigrant status, made referrals for housing and case management, and helped get her on a path to study for the GED.

SARAH

THE CITY BAR JUSTICE CENTER

The City Bar Justice Center (CBJC), the non-profit legal services arm of the New York City Bar Association, provides low-income individuals with pro bono civil legal services in over a dozen areas. CBJC recruits and trains volunteer attorneys, matches them with opportunities in a range of subject areas, screens cases before assigning them to pro bono attorneys, and provides experienced staff support and ongoing mentoring to the pro bono attorneys. Clients cover a broad spectrum of New York City's needy, including, among others, consumers filing for bankruptcy, homeowners facing foreclosure, veterans seeking VA disability benefits, battered and trafficked immigrant women, homeless families, and immigrant detainees. Augmenting these subject matter-specific projects is the CBJC Legal Hotline, the city's busiest free civil legal telephone hotline. For more information or to make a tax-deductible donation to support our work, please visit www.citybarjusticecenter.org.

To support the Immigrant Women & Children Project, or other efforts of the City Bar Justice Center, please visit www.citybarjusticecenter.org to donate online or call (212) 382-6727.

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